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PTO/SB/29 (12/97)

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**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 9301-058 Total Pages 172

First Named Inventor or Application Identifier

Roland STOUGHTON

Express Mail Label No. EL 167 880 247 US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

1. ☒ Request for Filing a divisional application under 37 C.F.R. § 1.53(b)
(Includes an original, and a duplicate for fee processing) [Total Pages 4]
2. ☒ Specification (preferred arrangement set forth below) [Total Pages 121]
 - Descriptive title of the Invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R&D
 - Reference to Microfiche Appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Claim(s)
 - Abstract of the Disclosure
3. ☒ Drawing(s) (35 USC 113) [Total Sheets 9]
4. ☒ Oath or Declaration [Total Sheets 2]
 - a. ☐ Newly executed (original or copy)
 - b. ☒ Copy from a prior application (37 CFR 1.63(d))
 - (for continuation/divisional with Box 17 completed)
 - [Note Box 5 below]
 - i. ☐ DELETION OF INVENTORS(S)
 - Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33 (b).
5. ☒ Incorporation By Reference (useable if Box 4b is checked)
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

6. ☐ Microfiche Computer Program (Appendix)
7. ☐ Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. ☐ Computer Readable Copy
 - b. ☐ Paper Copy (identical to computer copy)
 - c. ☐ Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

8. ☐ Assignment Papers (cover sheet & document(s))
9. ☐ 37 CFR 3.73(b) Statement ☒ Power of Attorney (when there is an assignee)
10. ☐ English Translation Document (if applicable)
11. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
12. ☒ Preliminary Amendment [Total Pages 19]
13. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
14. ☐ Small Entity ☒ Statement filed in prior application, Statement(s) Status still proper and desired
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☒ Other: Exhibit A (Pending Claims as Amended) [Total Pages 17]

17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP) of prior application No: 09/074,983 filed May 8, 1998

18. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label 20583 (Insert Customer No. or Attach bar code label here) or ☐ Correspondence address below

NAME				
ADDRESS				
CITY	STATE	ZIP CODE		
COUNTRY	TELEPHONE	FAX		

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

Express Mail No.: EL 167 880 247 US**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**Prior application: Examiner Fredman, J.Art Unit 1634

Assistant Commissioner for Patents
Box PATENT APPLICATION
 Washington, D.C. 20231

Sir:

This is a request for filing a ☐ continuation ☒ divisional application under 37 CFR § 1.53(b), of pending prior application no. 09/074,983 filed on May 8, 1998.

of Roland STOUGHTON and Stephen H. FRIEND
(inventor(s) currently of record in prior application)

for METHODS FOR IDENTIFYING PATHWAYS OF DRUG ACTION
(title of invention)

1. ☒ The filing fee is calculated below and takes into account the claim amendments in the Preliminary Amendment enclosed herewith:

PATENT APPLICATION FEE VALUE

TYPE	NO. FILED	LESS	EXTRA	EXTRA RATE	FEE
Total Claims	45	-20	25	\$18.00 each	\$ 450.00
Independent	7	-3	4	\$78.00 each	\$ 312.00
Basic Fee					\$ 760.00
Multiple Dependency Fee If Applicable (\$260.00)					\$ 0.00
Total					\$ 1,522.00
50% Reduction for Independent Inventor, Nonprofit Organization or Small Business Concern					- \$ 761.00
Total Filing Fee					\$ 761.00

2. ☒ Please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is enclosed.
- 3a. ☐ Transfer the drawings from the prior application to this application and abandon the prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file.
- 3b. ☐ New formal drawings are enclosed.

- 3c. ☒ Informal drawings are enclosed.
- 4a. ☐ Priority of application no. filed on in is claimed under 35 U.S.C. §119.
- 4b. ☐ The certified copy has been filed in prior application no. , filed .
5. ☒ The prior application no. 09/074,983 is assigned of record to Rosetta Inpharmatics, Inc. The Assignment was recorded in the U.S. Patent and Trademark Office on May 8, 1998 at Reel 9202, Frame 0527.
- 6a. ☒ The Power of Attorney appears in the original papers in the prior application no. 09/074,983, filed May 8, 1998.
- 6b. ☒ A copy of the Power of Attorney in prior application no. 09/074,983, filed May 8, 1998 is enclosed.
7. ☐ This application contains nucleic acid and/or amino acid sequences required to be disclosed in a Sequence Listing under 37 CFR §§1.821-1.825. It is requested that the Sequence Listing in computer readable form from prior application no., filed on be made a part of the present application as provided for by 37 C.F.R. §1.821(e). The sequences disclosed therein are the same as the sequences disclosed in this application. A copy of the paper Sequence Listing from application no. is enclosed.
8. ☐ The undersigned states, under 37 C.F.R. §1.821(f), that the content of the enclosed paper Sequence Listing from application no. is the same as the content of the computer readable form submitted in application no. .
- 9a. ☒ A Verified Statement (Declaration) Claiming Small Entity Status appears in the original papers in the prior application no. 09/074,983 filed May 8, 1998. The Statement declares that Rosetta Inpharmatics, Inc., the sole assignee of the instant application, qualifies as a small business concern as defined in 37 C.F.R. § 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code. Small Entity Status is still proper and desired. Accordingly, all fees paid in connection with the instant application, including the filing fee submitted herewith, should be those for a Small Entity.
- 9b. ☒ Please enter the Preliminary Amendment Under 37 C.F.R. § 1.111 submitted herewith

Respectfully submitted,

Date August 13, 1999

Adriane M. Antler 32,605
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